

REMARKS

Status of the Claims

Claims 1-15 remain pending in the application, with Claims 1 and 5 being independent. Claims 1 and 5 have been amended. Claims 16 through 37 have been cancelled.

Requested Action

Applicants respectfully request the Examiner to reconsider and withdraw the outstanding rejections in view of the foregoing amendments and the following remarks.

Claim Rejections

Claims 1, 2, and 4 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,151,563 to Higuchi (Higuchi). The Examiner has explained how the art was applied against the claims at pages 2 and 3 of the Office Action.

Claim 3 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Higuchi. The Examiner has explained how the art was applied against the claim at page 4 of the Office Action.

The Examiner has indicated that Claims 5-15 are allowable in scope, and are objected to as being dependent upon a rejected base claim. The Examiner has explained this objection at page 4 of the Office Action.

Response to Claim Rejections

Applicant respectfully traverses the Examiner's conclusion that the Higuchi patent discloses all the features of pending Claims 1, 2, and 4. The Examiner apparently interprets the limitation "multi-dimensional coordinate chart" (displayed on the display device and having at least a first and second coordinate axis) to read upon the operation display 52 shown in Fig. 8 of the Higuchi patent. Claim 1 herein is amended to emphasize further that the disclosed multi-dimensional coordinate chart has "a plurality of achromatic color determining ranges" allowing a user to select a desired location setting within the multi-dimensional coordinate chart so as to "modify at least one achromatic color determining range displayed on the multi-dimensional coordinate chart".

The Higuchi patent merely discloses allowing a user to correct a white balance (WB) adjustment value, rather than allowing that user to actually modify at least one achromatic color determining range displayed on a multi-dimensional coordinate chart.

For example, col. 8, lines 29-40 of Higuchi discloses simply that "the captured image 50 and a message 51 indicating, for example, 'Is this image OK' to the user are displayed on the LCD monitor" and that "an operation display 52 for correcting the WB adjustment value and an operation complete button 53 are displayed on the LCD monitor." As further illustrated for the operation display 52, shown in Fig. 8 of Higuchi, if the user depresses a cross operation key of the operation block 91 in a -B direction on the camera, the b/g of the WB adjustment value is incremented by 1. According to Higuchi, that corresponding incremented value then is simply sent to a WB correction section 32.

In contrast, Claim 1 now particularizes that selecting a desired location setting within the multi-dimensional coordinate chart displayed in the display device will modify at least one achromatic color determining range displayed on the multi-dimensional coordinate chart.

The Examiner is thanked for indicating allowable subject matter within dependent Claims 5-15.

Claim 5 has been rewritten as an independent claim with claim language somewhat broader than previously submitted. The Examiner is thanked for the courtesy of a telephone interview with Gary Jacobs on December 7, 2007, wherein it was agreed that the allowable subject matter of original claim 5 was not dependent upon a “desired location setting includes a setting of an achronomatic color determining range”. Reconsideration and allowance of amended claim 5 therefore, respectfully is requested.

Conclusion

In view of the above amendments and remarks, claims 1-15, as amended, are now considered to be allowable.

Any fee required in connection with this paper should be charged to Deposit Account No. 06-1205.

Applicants’ undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address given below.

Respectfully submitted,

/Warren E. Olsen/
Warren E. Olsen, Reg. No. 27,290
Gary M. Jacobs, Reg. No. 28,861
Attorneys for Applicant

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
WEO:GMJ:ntb